

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THOMAS DAVIS, III, et al.,

Plaintiff,

vs.

WESTGATE PLANET HOLLYWOOD OF LAS
 VEGAS, LLC, et al.,

Defendant.

Case No. 2:08-cv-00722-RCJ-PAL

ORDER

(Mtn to Withdraw - Dkt. #523)

This matter is before the court on the Motion to be Relived as Counsel (Dkt. #523) filed April 16, 2012. Leon Greenberg seeks to withdraw as counsel of record for Plaintiff Emmanuel Wiest. The Motion represents that Plaintiff Weist has failed and refuses to maintain contact with counsel. Counsel have advised Mr. Weist of his need to remain in contact with them, and they have provided a toll free number for him to do so. Counsel no longer has a current address for Mr. Weist, and efforts to contact him by telephone are unsuccessful. Since 2009, Mr. Weist has gone for extended periods of months without contacting counsel. This case, which was removed to this court on June 4, 2008, arises under the Fair Labor Standards Act, and there are approximately six hundred opt in Plaintiffs. Counsel have recently negotiated a settlement of this case that requires the signature of all of the named Plaintiffs. Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.”

Having reviewed and considered the matter, and for good cause shown,

IT IS ORDERED:

1. The Motion to Withdraw (Dkt. #523) is GRANTED.

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